

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FCI USA, INC., ET AL.,

No. C03-4519 JCS

Plaintiff(s),

**ORDER RE CONTINUING HEARING ON
ALL PENDING MOTIONS FOR
SUMMARY JUDGMENT AND FILING OF
SUR-REPLY BRIEF**

v.

HON HAI PRECISION INDUSTRY, ET AL.,

Defendant(s).

IT IS HEREBY ORDERED that Plaintiff FCI USA shall electronically file its sur-reply brief by midnight on Wednesday, December 7, 2005, with copies to be delivered to Judge Spero's chambers on Thursday, December 8, 2005, at 9:00 a.m. Leave to file the sur-reply brief is granted subject to the possibility that the Court may later strike the sur-reply as moot if it determines that it is appropriate to strike the new arguments to which the sur-reply responds raised in Foxconn's reply brief. Defendants will not be permitted to file any further briefs.

IT IS HEREBY FURTHER ORDERED that oral argument on all the Motions for Summary Judgment, currently set for December 16, 2005, at 9:30 a.m., has been continued to **January 6, 2006, at 1:30 p.m.**

IT IS SO ORDERED.

Dated: December 8, 2005


JOSEPH C. SPERO

United States Magistrate Judge